

EDUCATION LICENSURE COMMISSION

NOTICE OF PROPOSED RULEMAKING

The Education Licensure Commission (Commission) hereby gives notice of intent to adopt the following proposed rules in not less than thirty (30) days from the date of the publication of this notice in the D.C. Register. The purpose of these proposed rules is to establish procedures for the Education Licensure Commission. These proposed rules are required to be submitted to the Council of the District of Columbia for a forty-five (45) day period of review, and will become effective upon completion of that review period and publication of a notice of final rulemaking in the D.C. Register.

Title 16 of the District of Columbia Municipal Regulations ("Consumer Protection") is amended by adding the following new Chapter 20. The chapters proposed at 37 DCR 2280 and 2304 (April 6, 1990), shall be renumbered as Chapter 21 - Degree-granting Institutions and Chapter 22 - Postsecondary Non-Degree Schools when they are adopted as final rules.

CHAPTER 20 ORGANIZATION AND PROCEDURES OF THE EDUCATION LICENSURE COMMISSION

2000 GENERAL PROVISIONS

- 2000.1 The provisions of this chapter are issued pursuant to § 31-1606(a)(3), and Mayor's Order 89-120, dated May 31, 1989.
- 2000.2 The purpose of this chapter is to establish procedural rules to be followed by the Education Licensure Commission (the Commission) in the conduct of its business.
- 2000.3 These rules shall apply to all actions by the Commission.

2001 OFFICERS

- 2001.1 The officers of the Commission shall be the Chairperson, the Vice Chairperson, and the Secretary.
- 2001.2 Officers shall be elected between August 15 and September 30. The term of office shall be for one year. Officers may be re-elected. Vacancies may be filled at any time.
- 2001.3 The election of officers shall take place at a public meeting of the Commission. Newly elected officers shall take office immediately following their election.

- 2001.4 A Commissioner may not concurrently hold more than one office on the Commission.
- 2001.5 The Chairperson shall perform the following duties, except as may be otherwise provided by these rules:
- a) Coordinate all the business of the Commission;
 - b) Call and preside at meetings of the Commission;
 - c) Act as spokesperson for the Commission;
 - d) Coordinate the work of Commissioners; and
 - e) Perform all other duties specified by law or these rules.
- 2001.6 Between meetings of the Commission, the Chairperson shall be the principal point of contact between the Commission and the Executive Director of the Commission regarding implementation of decisions of the Commission, preparation of agendas for Commission meetings, and other matters.
- 2001.7 The Vice-Chairperson shall perform the following duties:
- a) Assist the Chairperson in the performance of the Chairperson's duties; and
 - b) Perform the duties of the Chairperson in the absence of the Chairperson.
- 2001.8 When the Commission determines by a majority of those present and voting that the Chairperson is unable or unwilling to act, the Vice Chairperson shall perform the duties of the Chairperson.
- 2001.9 When acting as the Chairperson, the Vice Chairperson shall have all the powers of, and be subject to all the restrictions, upon the Chairperson.
- 2001.10 The Secretary shall consult with the Executive Director regarding the preparation and distribution of the minutes of the meetings of the Commission, and preparation and distribution of notices of meetings, in accordance with these rules or as required by law. The Secretary shall sign all minutes approved by the Commission.
- 2001.11 The Commission may assign additional duties to any officer or Commissioner.
- 2001.12 The Commission may at any time, by majority vote of the serving Commissioners, remove from office any officer of the Commission.

2002

EXECUTIVE DIRECTOR

- 2002.1 The Executive Director of the Commission shall provide for the professional, technical, and clerical support of the Commission, shall ensure that the Commission's decisions are carried out, and within the limits established by the Commission, shall respond to public inquiries and correspond with other agencies, educational institutions, and the public on behalf of the Commission.

2003**REMOVAL OF A COMMISSIONER**

- 2003.1 The Commission may, when appropriate, recommend to the Mayor the removal of a Commissioner from office for adequate cause relating to that Commissioner's actions and attendance.
- 2003.2 In any recommendation regarding unethical behavior, the Commission shall act in accordance with applicable laws and regulations of the District of Columbia.

2004**MEETINGS**

- 2004.1 The Commission may have three kinds of meetings:
- (a) Public meetings, which shall be open to the public, and which shall be the only meetings at which official action of any kind may be taken;
 - (b) Executive meetings, from which the Commission may exclude the public, members of the Commission's staff, or any other person who is not a member of the Commission; and
 - (c) Work meetings, which may be either open to the public or executive meetings, as determined by the Commission.
- 2004.2 At an executive or work meeting which is not open to the public, no matter may be formally or informally decided if it is a matter concerning which the Commission foreseeable will take some official action at a future public meeting.
- 2004.3 The Executive Director of the Commission shall keep minutes of each public meeting.
- 2004.4 Public meetings shall be held at a time and place designated by the Commission in one or more public notices. The Chairperson or a majority of the Commission members may, with five (5) days notice to Commissioners, schedule additional public meetings.
- 2004.5 The Commission may, without prior public notice, cancel a public meeting. The Commission may reschedule a public meeting without prior notice if such action is taken at a public meeting. The Commission may adjourn a public meeting or continue it to another time without prior notice.
- 2004.6 The Chairperson or a majority of the Commissioners may call additional executive meetings or work meetings, provided that reasonable notice in person or by telephone, telegraph, telefax, or mail has been given to each Commissioner of the meeting date, time, and place.
- 2004.7 Three members of the Commission shall constitute a quorum for the transaction of business at a public meeting. If less than a quorum of the Commission is present at a public meeting, the Commissioners present may adjourn the public meeting without further notice.

005**HEARINGS**

- 2005.1 A hearing by the Commission shall be open to the public. The Commission may take no official action at a hearing except to open and close the hearing, receive oral and documentary evidence, hear arguments, and make rulings on motions and procedural questions.
- 2005.2 The Commission may designate one or more members of the Commission or another person to act as hearing examiner at a hearing. If the hearing is held before the Commission, the Chairperson shall preside.

2006**VOTING**

- 2006.1 Each Commissioner shall have one vote on all matters coming before the Commission. A roll call vote may be requested by any Commissioner.
- 2006.2 The act of a majority of the Commissioners present at a public meeting at which a quorum is present shall be the act of the Commission.
- 2006.3 There shall be no vote by proxy.
- 2006.4 Each resolution of the Commission shall be signed by the Chairperson and maintained in a separate file of the Commission.

2007**ORDER OF BUSINESS**

- 2007.1 The Order of Business before the Commission at a public meeting shall be as shown on the agenda for the meeting, as accepted by the Commission at the start of the meeting. Additions to the agenda may be accepted during the meeting.
- 2007.2 Insofar as possible, when a Commissioner or the Executive Director proposes an action to the Commission, that Commissioner or the Executive Director shall prepare and distribute to the Commissioners in advance of the public meeting a written resolution embodying the proposed action.
- 2007.3 At each public meeting, the Commission may set aside such time as it deems appropriate for receiving comments by members of the public. Members of the public may address the Commission for a period of time specified by the Commission.

2008**COMMITTEES**

- 2008.1 The Chairperson, with the concurrence of the Commission, may appoint, reorganize, or terminate such committees of the Commission as needed.
- 2008.2 Membership on a committee may include persons who are not Commissioners.

2008.3 Each committee shall be responsible to and shall report to the Commission.

2009 PARLIAMENTARY AUTHORITY

2009.1 In conducting its business the Commission shall follow the latest edition of Robert's Rules of Order in All matters not covered by this chapter.

2010 IMPLEMENTATION

2010.1 The Commission may implement these rules and other rules of the Commission by such written policies and administrative issuances as the Commission may deem necessary.

2010.2 Except for the authority vested in the Commission by law, and to the extent consistent with the rules of the Commission, the Commission may delegate implementation authority to the Executive Director.